



FLH Docket No.
674522-2001.1

DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

(Includes reference to PCT International Applications)

FROMMER LAWRENCE & HAUG, LLP

File No.: 674522-2001.1

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor (if plural, names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention ENTITLED:

***INHIBITING DEVELOPMENT OF MICROVESSELS WITHIN CORONARY OR
PERIPHERAL VESSEL WALLS FOR RESTENOSIS/ATHEROSCLEROSIS
PREVENTION OR THERAPY***

the specification of which:

is attached hereto

☒ was filed on **January 5, 2000** as:

☒ United States Application Serial No. 09/478,621

☐ as the National Phase of PCT Application No. _____

☒ with amendments through DATE EVEN HEREWITH (if applicable, give details).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 (a) - (d) or § 365 (b) of any foreign application(s) for patent or inventor's certificate, or § 365 (a) of any PCT International application(s) designating at least one country other than the United State of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT International applications designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign/PCT Application(s) [list additional applications on separate page]:

Priority Claimed:

Country (or PCT)

Application Number:

Filed (Day/Month/Year)

Yes

No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

60/115,977

(Application Number)

January 15, 1999

(Filing Date)

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or § 365 (c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior United States or PCT International application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. (or U.S.-designating PCT) Application(s) [list additional applications on separate page]:
U.S. Serial No.: Filed (Day/Month/Year) PCT Application No. Status (patented, pending, abandoned)

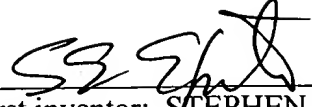
I hereby appoint, Thomas J. Kowalski, Registration No. 32,147, and FROMMER LAWRENCE & HAUG, LLP or their duly appointed associates, my attorneys or agents, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to file continuation and divisional applications thereof, to receive the Patent, and to transact all business in the Patent and Trademark Office and in the Courts in connection therewith, and to insert the Serial Number of the application in the space provided above. And, I hereby specify that all communications about the application are to be directed to the following correspondence address

Thomas J. Kowalski, Esq.
c/o FROMMER LAWRENCE &
HAUG LLP
745 Fifth Avenue
New York, NY 10151
FAX (212) 588-0500


Direct all telephone calls to: (212) 588-0800
to the attention of:
Thomas J. Kowalski, Esq.

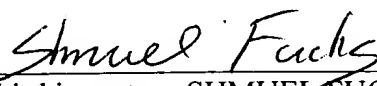
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


INVENTOR(S):

Signature:  Date: 1/21/2000
Full name of first inventor: STEPHEN E. EPSTEIN
Residence: 11700 Danville Drive, Rockville, MD 20852

Citizenship: U.S.

Signature:  Date: 1/21/2000
Full name of second inventor: RAN KORNOWSKI
Residence: 12218 Tildenwood Drive, Rockville, MD 20852
Citizenship: Israeli

Signature:  Date: 1/21/00
Full name of third inventor: SHMUEL FUCHS
Residence: 267 Rollins Avenue, Rockville, MD 20852
Citizenship: Israeli

Signature:  Date: 1/16/00
Full name of fourth inventor: MARTIN LEON
Residence: 8822 Burdette Road, Bethesda, MD 20817
Citizenship: U.S.

Post Office Address(es) of inventors [if different from residence]:

For the first three inventors: Cardiovascular Research Institute, MedStar Research Institute,
Washington Hospital Center, 110 Irving Street, NW, Suite 4B-1, Washington, D.C. 20010.

For the fourth inventor: Cardiovascular Research Foundation, Lenox Hill Heart and Vascular
Center, 130 East 77th Street, 9th Floor, New York, NY 10021

NOTE: In order to qualify for reduced fees available to Small Entities, each inventor and any other individual or entity having rights to the invention must also sign an appropriate separate "Verified Statement (Declaration) Claiming [or Supporting a Claim by Another for] Small Entity Status" form [e.g. for Independent Inventor, Small Business Concern, Nonprofit Organization, Individual Non-Inventor].



Applicant or Patentee:
Serial or Patent No.:
Filed or Issued:
For:

EPSTEIN ET AL.
09/478,621
JANUARY 5, 2000
INHIBITING DEVELOPMENT OF MICROVESSELS
WITHIN CORONARY OR PERIPHERAL VESSEL WALLS
FOR RESTENOSIS/ATHEROSCLEROSIS PREVENTION
OR THERAPY

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**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name Of Organization: CARDOVASCULAR RESEARCH FOUNDATION
Address Of Organization: 55 EAST 59TH STREET
NEW YORK, N.Y. 10022

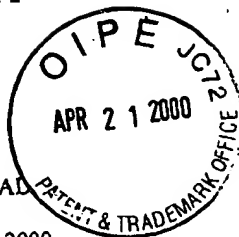
Type Of Organization:

- ☐ university or other institution of higher education
☒ tax exempt under internal revenue service code (26 USC 501(a) and 502(c)(3))
☐ nonprofit scientific or educational under statute of state of the United States of America
☐ would qualify as tax exempt under internal revenue service code (26 USC 501(a) and 502(c)(3)) if located in the United States of America
☐ would qualify as nonprofit scientific or educational under statute of state of the United States of America if located in the United States of America

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled: ***INHIBITING DEVELOPMENT OF MICROVESSELS WITHIN CORONARY OR PERIPHERAL VESSEL WALLS FOR RESTENOSIS/ATHEROSCLEROSIS PREVENTION OR THERAPY*** inventor(s) **STEPHEN E. EPSTEIN, RAN KORNOWSKI, SHMUEL FUCH AND MARTIN LEON** described in

- ☐ the specification filed herewith.
☒ application serial no. 09/478,621, filed JANUARY 5, 2000.
☐ patent no. , issued

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.



Applicant or Patentee:
Serial or Patent No.:
Filed or Issued:
For:

EPSTEIN ET AL
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If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor who could not qualify as a small business concern under 35 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Full Name:

Address:

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

Full Name:

Address:

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

Full Name

Address

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

SJI.2238.DOC



Applicant or Patentee:
Serial or Patent No.:
Filed or Issued:
For:

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Name of Person Signing: *MARY M. LAMPE*

Title in Organization: *CHIEF OPERATING OFFICER*

Address of Person Signing: *55 E. 59th Street, 6th floor, New York, NY 10022*

Signature: *Mary M. Lampe*

Date: *Feb. 7, 2000*